

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated February 18, 2009 (hereinafter Office Action) have been considered. Claims 1-20 remain pending in the application. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

1. Claim 16 is rejected based on 35 U.S.C. §101 as being directed to non-statutory subject matter.

Applicants respectfully traverse the rejection. In the Office Action, the Examiner contends that the Specification (p. 17, line 26 – p. 18, line 5) discloses that the claimed computer-readable medium may comprise non-statutory subject matter such as transmission medium. The Applicants respectfully disagree, and note that a transmission medium cannot reasonably be expected to comprise *stored* instructions as set forth in Claim 16. Nonetheless, to facilitate prosecution, Claim 16 has been amended to indicate a computer-usable medium. The portion of the Specification cited in the Office Action make a clear distinction between transmission medium and computer usable medium. Withdrawal of the rejection is therefore respectfully solicited.

2. Claims 1-9 and 13-20 are rejected based on 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,955,298 to Herle (hereinafter “Herle”) in view of U.S. Publication No. 2002/0129136 by Matharu (hereinafter “Matharu”).

The Applicants respectfully submit that the claims as originally filed are not rendered obvious in view of the combination of Herle and Matharu. However, in order to facilitate prosecution of the application and in a *bona fide* attempt to advance the application to allowance, the Applicants present this response with amendment to clarify particular aspects of the claimed invention.

For example, Claim 1 has been amended to describe optionally translating the Web Service request from a second format into a first format. The first format comprises extensible markup language formatted encapsulations of the Web service request and response, and the second format comprises reduced-size encapsulations of the Web service request and response.

Similar amendments have been made to independent Claims 6, 13, and 16-18. These amendments are fully supported in the Specification as filed (e.g., p. 6, lines 21-31; and p. 12, line 24 to p. 13, line 30) and no new matter has been added.

In the rejection of Claim 1 in the Office Action, Herle is relied upon to teach receiving a Web service request from a network terminal. The Examiner recognizes that Herle fails to teach optionally translating the Web Service request into a first format and optionally translating the Web Service response into a second format. As a result, paragraphs 0111-0113 of Matharu are relied upon in combination with Herle to teach the claimed subject matter.

In regards to teaching the translation/conversion of Web Service requests, Matharu states in relevant part:

As shown, the client may use any number of methods to browse the web (e.g., Wireless Markup Language (WML), WML-Script, Wireless Telephony Applications Interface (WTAI), among others) to request data from a web server. The client data request is first sent to a WAP gateway via Wireless Session Protocol/Wireless Transfer Protocol (WSP/WTP). One of the functions of the WAP gateway is to encode/decode/compress messages that pass to and from a wireless device and a web server. The WAP gateway may use a variety of tools (e.g., WML Encoder, WML-Script Compiler, Protocol Adapters, among others) to encode/decode/compress the messages that pass to and from a wireless device and a web server. (Matharu, 0112)

Thus Matharu is describing the known use of a WAP gateway to encode/decode/compress WML messages that pass to and from a wireless device and a web server. The relevant standard that governs this aspect of the WAP gateway is the Binary XML Content Format Specification, an version of which (Binary XML Content Format Specification, Version 1.3, 25 July 2001) is provided in an information disclosure statement (IDS) that accompanies this Office Action. For example, page 4, second paragraph of this specification states that “[t]he binary XML content format is designed to reduce the transmission size of XML documents, allowing more effective use of XML data on narrowband communication channels.” This paragraph make further clear that this binary XML format is used in the WML specification, an example of which is also included in the IDS accompanying this response (Wireless Markup Language Version 2.0, Version 2.0, 11 Sep 2001, hereinafter “WML Specification”).

As seen in pages 55-63 of the WML specification, WML uses HTML elements (see, e.g., paragraphs 6.2, 6.3, 6.4) and specialized WML elements for, e.g., text control (paragraph

6.5.2.1), form control (paragraph 6.5.3.1), context and navigation (paragraph 6.16.1-11). However, nowhere does the WML specification teach or suggest any elements used to encapsulate remote procedure calls. Thus, at most the combination of Herle and Matharu teaches a WAP gateway used to encode/decode/ compress WML. This combination fails to teach or suggest, however, using such a gateway, for example, for translating between a first format comprising extensible markup language formatted encapsulations of the Web service requests/responses, and a second format comprises reduced-size encapsulations of the Web service requests/responses. Accordingly, Herle and Matharu fail to render independent Claims 1, 6, 13, and 16-18 obvious.

Dependent Claims 2-5, 7-9, 14, 15, 19 and 20 were also rejected as obvious in view of the combination of Herle and Matharu. Applicants note the rejection of Claim 19 is now moot due to the cancellation of this claim without prejudice or disclaimer. While Applicants do not acquiesce with any particular rejections to dependent Claims 2-5, 7-9, 14, 15, and 20 it is believed that these rejections are now moot in view of the remarks made in connection with independent Claims 1, 6, 13, and 18, from which these claims respectively depend. "If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious." M.P.E.P. §2143.03; citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, dependent Claims 2-5, 7-9, 14, 15, and 20 are also allowable over the combination of Herle and Matharu.

3. Claims 10-12 are rejected based on 35 U.S.C. §103(a) as being unpatentable over Herle and Matharu in view of U.S. Publication No. 2005/0064884 by Dumont et al. (hereinafter "Dumont").

Applicants note the rejection of Claim 12 is now moot due to the cancellation of this claim without prejudice or disclaimer. While Applicants do not acquiesce with any particular rejections to dependent Claims 10 and 11 it is believed that these rejections are now moot in view of the remarks made in connection with independent Claim 6 from which these claims depend. Dumont was not relied upon to cure the deficiencies of Herle/Matharu as applied to Claim 6, nor does Dumont provide such a cure. Therefore, dependent Claims 10 and 11 are allowable over the combination of Herle, Matharu, and Dumont.

Authorization is given to charge Deposit Account No. 50-3581 (NOKM.084PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the Examiner is invited to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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